

DOCKET NO.: 270142US0PCT

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Hitoshi MURAKAMI, et al

SERIAL NUMBER: 10/530,431

FILED: April 6, 2005

FOR: FOOD COMPOSITIONS FOR RECOVERY FROM FATIGUE

RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

COMMISSIONER FOR PATENTS

Box PCT

Alexandria, VA 22313

SIR:

Responsive to the notification dated August 31, 2005, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a Rule 63 Declaration.

The required surcharge was paid at the time of filing the application.

The Rule 63 Declaration being filed herewith is accompanied by an English translation.

The translation is accurate (37 CFR 1.69.)

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our payment in the amount of \$-0.00- is attached hereto. If any variance exists between the amount enclosed and the required Government fee, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/530,431	Hitoshi Murakami	270142US0PCT

INTERNATIONAL APPLICATION NO.

PCT/JP03/12957

I.A. FILING DATE	PRIORITY DATE
10/09/2003	10/11/2002

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CONFIRMATION NO. 4995

371 FORMALITIES LETTER

OC000000016905678

OC000000016905678

ET

COPY

Date Mailed: 08/31/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/06/2005
- English Translation of the IA filed on 04/06/2005
- Copy of the International Search Report filed on 04/06/2005
- Information Disclosure Statements filed on 04/06/2005
- Request for Immediate Examination filed on 04/06/2005
- U.S. Basic National Fees filed on 04/06/2005
- Priority Documents filed on 04/06/2005
- Specification filed on 04/06/2005
- Claims filed on 04/06/2005
- Abstracts filed on 04/06/2005
- Drawings filed on 04/06/2005

RECEIVED: 9/16/05
 OBLON, SPIVAK, McCLELLAND
 MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: PP 9/16/05
 Type of Resp(s): Deep Dive
 Due Date(s): 10-31-05

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,431	PCT/JP03/12957	270142US0PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)